

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CASE NO.:5:09-CV-510-FL

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|------------------------|---|--------------------------------------|
| LONNIE MORRELL, |) | |
| |) | |
| Plaintiff, |) | CONSENT ORDER |
| v. |) | GRANTING PLAINTIFF'S |
| |) | UNOPPOSED MOTION FOR |
| |) | BIFURCATION OF TRIAL AND |
| |) | PROVIDING FOR ADDITIONAL |
| BRINK'S INCORPORATED, |) | RELATED DESIGNATIONS AND |
| a Delaware Corporation |) | DISCOVERY RELATED TO ANY |
| |) | REINSTATEMENT, FRONT PAY, AND |
| Defendant. |) | OTHER REMEDIAL MATTERS, AND |
| |) | MODIFYING CASE MANAGEMENT |
| |) | ORDER ACCORDINGLY |

THIS MATTER having come before the Court on the Plaintiff's unopposed Motion requesting that the Court permit a limited bifurcation of the trial in this matter to separate certain remedial issues, e.g. reinstatement, front pay, exemplary damages, if any that may be awarded (and any more specific related expert witness designations and additional discovery), from the initial discovery and determinations of liability, if any, and appropriate back pay through the date of the initial trial, and with the consent of all Parties, as shown by the signatures of the Parties' respective Counsel below, and the Court having considered the matter and for good cause shown.

IT IS NOW HEREBY ORDERED THAT the Motion be and hereby is granted, the trial and related discovery will be bifurcated, and the current Case Management Order in this case is hereby modified accordingly as follows:

1. The Trial presently scheduled to begin July 18, 2011 will be limited to the presentation of evidence pertaining only to the Defendant's possible liability and any back pay and various compensatory damages pertaining to Plaintiff's claims and causes of action, and any of the Defendant's defenses and affirmative defenses pertaining thereto, through the initial trial date.
2. Depending upon the determinations made by the jury and the Court with respect to this initial bifurcated Trial Phase, appropriate hearings and any further Trial will be held, if necessary, to begin on a future date (or dates) to be determined by the Court and subject to the following additional discovery schedule:
 - A. Without any further request for discovery by any other Party, each Party shall within 30 days of the end of the initial Trial Phase designate any experts and witnesses that they intend to call on the issues of possible reinstatement, front pay, other remedial measures, and/or any exemplary or punitive damages; and, in addition, each party may serve on the other additional discovery requests limited to these issues of reinstatement, front pay, other future remedial measures, and/or any exemplary or punitive damages;
 - B. Without any further request for discovery by any other Party, expert witness reports pertaining to the issues and subject matters referenced in Item A above, shall be provided to and/or exchanged with the opposing Party: no later than 15 days after the initial

designation deadline if no additional discovery requests have been served by any Party; and, no later than 45 days after the initial designation deadline if additional discovery requests have been served;

C. All additional discovery as allowed and limited to the issues and subject matters referenced in Item A above, shall be completed no later than 90 days after end of the initial Trial Phase.

This the 9th day of November, 2010.



United States District Court Judge

CONSENTED/STIPULATED:

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